



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice China

China – CHN37604 – Hong Kong –  
Falun Gong  
5 November 2010

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**1. Please provide an update of any press or other recent reporting (for example, on Falun Gong websites) since mid-2007 regarding Falun Gong in Hong Kong.**

Few reports were found regarding Falun Gong in Hong Kong, other than those reports mentioned in *RRT Research Response CHN31727* (May 2007) and the more recent *RRT Research Response HKG35917* (January 2010). Hong Kong law provides for freedom of religion, and generally respects this in relation to Falun Gong practitioners. Adherents of Falun Gong are generally able to protest, hold parades and hand out pamphlets in Hong Kong without receiving adverse attention from authorities. There are reports, however, of police discouraging protests during politically sensitive times such as the 2008 Beijing Olympic Games and the visit of the Chinese Vice President. There are also reports of Falun Gong practitioners being refused visas or entry into Hong Kong from mainland China and Taiwan.

Falun Gong practitioners enjoy the freedom to practice in Hong Kong.<sup>1</sup> The 2009 *International Religious Freedom Report* states that the Hong Kong constitution, known as The Basic Law, provides for freedom of religion and prohibits religious discrimination. The report states:

According to the Basic Law, the HKSAR enjoys a high degree of autonomy in the area of religious freedom under the principle of “one country, two systems”.<sup>2</sup>

Under this system, Falun Gong practitioners are free to practice, hold demonstrations, participate in parades and hand out pamphlets in Hong Kong.<sup>3</sup> The 2009 *International Religious Freedom Report* notes that ‘[d]uring the reporting period, Falun Gong maintained 12 regular information displays in high-traffic areas and regularly conducted public protests against the repression of fellow practitioners’. The report also states there were ‘no reports of religious detainees or prisoners in the region’.<sup>4</sup>

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<sup>1</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – China*, 11 March, Section 2.c – Attachment 1.

<sup>2</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October – Attachment 2.

<sup>3</sup> Freedom House, 2009, *Freedom in the World 2009 – Hong Kong*, <http://freedomhouse.org/template.cfm?page=22&year=2009&country=7586> – Accessed 2 November 2010 – Attachment 3; Freedom House, 2010, *Freedom in the World 2010 – Hong Kong*, <http://freedomhouse.org/template.cfm?page=363&year=2010&country=7801> – Accessed 2 November 2010 – Attachment 4; US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October – Attachment 2.

<sup>4</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October – Attachment 2.

## **Falun Gong practitioners protesting in Hong Kong**

*RRT Research Response HKG35917* dated 3 February 2010, includes a list of Falun Gong advocacy group and media reports about Falun Gong protests in Hong Kong.<sup>5</sup> Some of the protests described in the reports include: a rally marking the tenth anniversary of a Falun Gong march on Beijing; and a regular protesting site outside the Star Ferry where tourists from mainland China disembark.<sup>6</sup> Falun Gong was also involved in Hong Kong's annual July 1<sup>st</sup> parade in 2010, with the theme 'Quit the Chinese Communist Party'.<sup>7</sup> All of the reported protests occurred without adverse attention from authorities.

While the protests listed above occurred without incident or arrests, there have been reports of Falun Gong protesters experiencing mistreatment. The 2009 *International Religious Freedom* report cites an occasion where Falun Gong protesters were sprayed with water and physically attacked by security guards while demonstrating outside the Central Government Liaison Office (CGLO) in Hong Kong. The report notes that *Epoch Times* articles suggested police downplayed the seriousness of the attacks:

'...practitioners subsequently reported that police responded to their complaints. In one case, the suspect was released on bail; in the other, the guard was fined.'<sup>8</sup>

Some reports note that Falun Gong practitioners have been discouraged from protesting on politically sensitive occasions. Hong Kong hosted the equestrian events in the 2008 Beijing Olympics. During this time there were government restrictions on protests at Olympic venues, which prevented Falun Gong practitioners from entering the equestrian sites to protest. Falun Gong practitioners, however, were not the only group denied the right to publicly protest at Olympic venues; pro-democracy and Tibetan activists were also affected.<sup>9</sup>

Falun Gong practitioners were also prevented from protesting during a visit from the Chinese Vice President in 2008. Falun Gong practitioners had previously protested regularly outside the CGLO building, but while the Vice President was visiting Hong Kong, police ordered the protesters to take down their signs, threatening 'strong actions' if they did not comply.<sup>10</sup>

## **Falun Gong practitioners being refused visas or entry into Hong Kong**

There are also reports of the Hong Kong Immigration Department refusing visas or entry into the territory to Falun Gong practitioners from mainland China and Taiwan. The most recent report of note is the decision by the Immigration Department to refuse visas to key members of the Falun Gong linked Shen Yun dance troupe in January 2010.<sup>11</sup> The dance

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<sup>5</sup> RRT Research & Information 2010, *Research Response HKG35917*, 3 February – Attachment 5.

<sup>6</sup> 'Falun Gong in HK marks 10<sup>th</sup> anniversary of protest' 2009, *Associated Press Newswires*, 25 April – Attachment 6; 'Falun Gong stages anniversary protest in Hong Kong' 2009, *Reuters*, 25 April – Attachment 7; Hornby, L 2009, 'Falun Gong fights on 10 years after Chinese ban', *Reuters*, 22 April – Attachment 8.

<sup>7</sup> 'Quitting the CCP Gets Attention at Hong Kong Parade' 2010, *The Epoch Times*, 2 July, <http://www.theepochtimes.com/n2/content/view/38471/> – Accessed 3 November 2010 – Attachment 9.

<sup>8</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October – Attachment 2.

<sup>9</sup> US Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October – Attachment 10.

<sup>10</sup> Xu, W. & Wu, X. 2008, 'Hong Kong Obstructs Falun Gong's Protest', *The Epoch Times*, 11 July, <http://www.theepochtimes.com/news/8-7-11/73283.html> – Accessed 3 November 2010 – Attachment 11.

<sup>11</sup> 'Shen Yun Performance in Hong Kong Canceled as a Result of Visa Denial to Six Key Production Staff; Local Officials Condemn Hong Kong Government's Decision (Photos)', 2010, *Clear Wisdom*, 24 January,

troupe had planned to perform in Hong Kong and the visa refusals caused the organiser of the shows to cancel the tour. Following the visa decision, several hundred Falun Gong activists marched through central Hong Kong in protest.<sup>12</sup>

The Hong Kong Immigration Department also refused entry to Falun Gong practitioners in May 2008 when the Olympic torch relay was taking place, as well as during the Olympic Games.<sup>13</sup> The 2009 *International Religious Freedom Report* also notes two incidents Falun Gong practitioners from other countries being denied entry into the territory. The reasons for their exclusion were either not cited or attributed to not meeting Hong Kong immigration requirements.<sup>14</sup>

### **China's influence over Hong Kong**

While it is legal to practice Falun Gong in Hong Kong, critics have suggested that some decisions by the Hong Kong government were influenced by politics in mainland China, where Falun Gong is considered to be an 'evil cult'.<sup>15</sup> The 2008 *US Congressional-Executive Commission on China* report raised concerns that restrictions placed on protesters during the Olympic Games may 'represent a compromise of Hong Kong's political autonomy [from mainland China]'.<sup>16</sup> Similarly, it has been suggested that the refusal of visas to members of the Shen Yun dance troupe in January 2010 is proof of China's growing influence over Hong Kong in relation to religious policy.<sup>17</sup>

### **Attachments**

1. US Department of State 2010, *Country Reports on Human Rights Practices 2009 – China*, 11 March, Section 2.c.
2. US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October.
3. Freedom House, 2009, *Freedom in the World 2009 – Hong Kong*, <http://freedomhouse.org/template.cfm?page=22&year=2009&country=7586> – Accessed 2 November 2010.

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<http://www.clearwisdom.net/html/articles/2010/1/24/114110.html> – Accessed 2 November 2010 – Attachment 12.

<sup>12</sup> 'Falungong activists march through Hong Kong' 2010, Agence France-Presse, 31 January <http://www.google.com/hostednews/afp/article/ALeqM5h72Tt7ksqZq9C19XvWNFDOMH0KVA> – Accessed 4 November 2010 – Attachment 13.

<sup>13</sup> Amnesty International 2009, *Amnesty International Annual Report 2009 – China* – [Attachment 14](#); Freedom House, 2009, *Freedom in the World 2009 – Hong Kong*, <http://freedomhouse.org/template.cfm?page=22&year=2009&country=7586> – Accessed 2 November 2010 – Attachment 3.

<sup>14</sup> US Department of State 2009, *International Religious Freedom Report for 2009 – China*, 26 October – Attachment 2.

<sup>15</sup> US Department of State 2010, *Country Reports on Human Rights Practices 2009 – China*, 11 March, Section 2.c – Attachment 1.

<sup>16</sup> US Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October – Attachment 10.

<sup>17</sup> 'Falungong activists march through Hong Kong' 2010, Agence France-Presse, 31 January <http://www.google.com/hostednews/afp/article/ALeqM5h72Tt7ksqZq9C19XvWNFDOMH0KVA> – Accessed 4 November 2010 – Attachment 13.

4. Freedom House, 2010, *Freedom in the World 2010 – Hong Kong*, <http://freedomhouse.org/template.cfm?page=363&year=2010&country=7801> – Accessed 2 November 2010.
5. RRT Research & Information 2010, *Research Response HKG35917*, 3 February.
6. ‘Falun Gong in HK marks 10<sup>th</sup> anniversary of protest’ 2009, *Associated Press Newswires*, 25 April.
7. ‘Falun Gong stages anniversary protest in Hong Kong’ 2009, *Reuters*, 25 April.
8. Hornby, L 2009, ‘Falun Gong fights on 10 years after Chinese ban’, *Reuters*, 22 April.
9. ‘Quitting the CCP Gets Attention at Hong Kong Parade’ 2010, *The Epoch Times*, 2 July, <http://www.theepochtimes.com/n2/content/view/38471/> – Accessed 3 November 2010.
10. US Congressional-Executive Commission on China 2008, *Annual Report 2008*, 31 October.
11. Xu, W. & Wu, X. 2008, ‘Hong Kong Obstructs Falun Gong’s Protest’, *The Epoch Times*, 11 July, <http://www.theepochtimes.com/news/8-7-11/73283.html> – Accessed 3 November 2010.
12. ‘Shen Yun Performance in Hong Kong Canceled as a Result of Visa Denial to Six Key Production Staff; Local Officials Condemn Hong Kong Government's Decision (Photos)’, 2010, *Clear Wisdom*, 24 January, <http://www.clearwisdom.net/html/articles/2010/1/24/114110.html> – Accessed 2 November 2010.
13. ‘Falungong activists march through Hong Kong’ 2010, *Agence France-Presse*, 31 January <http://www.google.com/hostednews/afp/article/ALeqM5h72Tt7ksqZq9C19XvWNFDOMH0KVA> – Accessed 4 November 2010.
14. Amnesty International 2009, *Amnesty International Annual Report 2009 – China*.